

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: CYNTHIA E. CULBREATH	Case No. 22-11416-elf Chapter 13
Federal Home Loan Mortgage Corporation, as trustee for Freddie Mac Seasoned Credit Risk Transfer Trust, Series 2017-4, as owner of the Related Mortgage Loan, Movant	
vs.	
CYNTHIA E. CULBREATH, Debtor	

NOTICE OF MOTION, RESPONSE DEADLINE, AND HEARING DATE

Federal Home Loan Mortgage Corporation, as trustee for Freddie Mac Seasoned Credit Risk Transfer Trust, Series 2017-4, as owner of the Related Mortgage Loan has filed papers with the court for approval of a loan modification.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney.)

1. If you do not want the Court to grant relief sought in the motion or if you want the Court to consider your views on the motion, then on or before February 7, 2023 you or your attorney must do all of the following:

(a) file an answer explaining your position at:

Clerk's Office, U.S. Bankruptcy Court
900 Market Street, Suite 400
Philadelphia, PA 19107

If you mail your answer to the bankruptcy clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated above; and

(a) mail a copy to the Movant's attorney:

Brock and Scott, PLLC
8757 Red Oak Blvd.
Suite 150

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the Court may enter an Order granting the approval requested in the motion.

3. A hearing on the motion is scheduled to be held before the Honorable Eric L Frank on 2/14/2023 at 1:00 PM, in Courtroom 1, United States Bankruptcy Court, 900 Market Street, Suite 400, Philadelphia, PA 19107. Unless the Court orders otherwise, the hearing on this contested matter will be an evidentiary hearing at which witnesses may testify with respect to disputed material factual issues in the manner directed by Fed. R. Bankr. P 9014(d).

4. If a copy of the motion is not enclosed, a copy of the motion will be provided to you if you request a copy from the attorneys named in paragraph 1(b).

5. You may contact the Bankruptcy Clerk's office at (215) 408-2800 to find out whether the hearing has been cancelled because no one filed an answer.

Date: January 17, 2023

Brock and Scott, PLLC

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matt Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

8757 Red Oak Boulevard, Suite 150

Charlotte, NC 28217

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Notice Of Motion And Hearing And Motion To Approve Loan Modification has been electronically served or mailed, postage prepaid on this day to the following:

CYNTHIA E. CULBREATH
109 EDGLEY AVENUE
GLENSIDE, PA 19038

Georgette Miller, Debtor's Attorney
Dilworth Paxson LLP
1500 Market Street, Suite 3500e
Philadelphia, PA 19102
bky@dilworthlaw.com

Kenneth E. West, Bankruptcy Trustee
Office of the Chapter 13 Standing Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

Office of the U.S. Trustee, US Trustee
Robert N.C. Nix Federal Building
Suite 300
Philadelphia, PA 19107

January 17, 2023

/s/Andrew Spivack

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MOTION TO APPROVE LOAN MODIFICATION

Federal Home Loan Mortgage Corporation, as trustee for Freddie Mac Seasoned Credit Risk Transfer Trust, Series 2017-4, as owner of the Related Mortgage Loan (the “Movant”), by its attorneys, Brock and Scott PLLC, and files this Motion to Approve Loan Modification, representing as follows:

1. Debtor executed a Mortgage and Note on November 22, 2006 in the amount of \$127,000.00 for the real property located at 902 Arch St, Norristown, PA 19401 (the “Property”).
2. Debtor filed their bankruptcy Petition on June 1, 2022.
3. The Debtor and Movant wish to enter into a Loan Modification on the Mortgage in question.
4. A formal loan modification (the “Modification”) was executed by the Debtor on October 5, 2022. A true and correct copy of the executed Modification is attached hereto as Exhibit “A” and incorporated herein by reference.
5. The Modification extends the maturity date of the loan from December 1, 2036 to September 1, 2062. See exhibit attached hereto.
6. The new principal balance is \$127,685.34. See exhibit attached hereto.

7. The Modification has a fixed interest rate of 4.25%. See exhibit attached hereto.
8. The Modification is effective September 1, 2022, with a new monthly mortgage payment of \$435.72, which includes a principal and interest payment of \$435.72 and an escrow payment of \$0. See exhibit attached hereto.
9. Upon approval of this Court, the new monthly payment due to the Movant shall begin with the October 1, 2022, payment.
10. Once approved by this Court, Movant will execute the Modification and provide fully executed copy of the Debtor's.

WHEREFORE, Movant respectfully requests that this Honorable Court:

1. Approval of the Loan Modification
2. Provide for the maintenance of ongoing payments under the terms of the Note directly to Movant effective October 1, 2022.
3. For any other relief the Court deems just and proper.

Date: January 17, 2023

/s/Andrew Spivack
Andrew Spivack, PA Bar No. 84439
Matt Fissel, PA Bar No. 314567
Mario Hanyon, PA Bar No. 203993
Ryan Starks, PA Bar No. 330002
Jay Jones, PA Bar No. 86657
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